

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Abingdon Division

JAMES WOOD,

*Plaintiff,*

V.

BRISTOL VIRGINIA UTILITY  
AUTHORITY,

*Defendant.*

Case No. 1:22cv18

**MOTION TO DISMISS**  
**FOR FAILURE TO STATE A CLAIM**

Defendant, BVU Authority, incorrectly sued herein as Bristol Virginia Utility Authority, by counsel, submits this motion to dismiss for failure to state a claim pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure and states that the Complaint fails to state a claim for the reasons stated in the accompanying memorandum of law.

Respectfully submitted,

BVU AUTHORITY (incorrectly sued  
 herein as BRISTOL VIRGINIA  
 UTILITY AUTHORITY)

/s/ Jennifer D. Royer  
Of Counsel

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CERTIFICATE

I hereby certify that on the 1<sup>st</sup> day of July, 2022, I have electronically filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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